
News from the Committee on Resources



U.S. House of Representatives

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After 7 Hearings, House Resources Committee Reauthorizes Comprehensive Fisheries Act, 23-17

Magnuson-Stevens—not reauthorized since 1996—strengthens fisheries conservation

Washington, D.C. – The House Resources Committee today reauthorized a newly-strengthened Magnuson-Stevens Act that will take strong steps to conserve ocean wildlife, particularly declining species. The committee passed the bill 23-17, taking the first step toward reauthorizing the act for the first time since 1996.

Today's vote comes on the heels of seven hearings held by the Subcommittee on Fisheries, Conservation, Wildlife and Oceans to review proposed changes to an act that is the primary law for fishery resources and fishing activities in federal waters.

The bill steps up fisheries conservation efforts while phasing-out foreign fishing activities close to the U.S. coastline.

FCW&O Chairman Wayne Gilchrest:

“When I was appointed as the Chairman of the Fisheries Conservation, Wildlife and Oceans Subcommittee, I made a commitment to many of the members of this Committee to keep an open mind on fisheries issues to work to reach common ground on these important issues without compromising conservation of the nation's natural resources. The Magnuson-Stevens Act is a balancing act between the interests of the fishing community to make a reasonable living and the need to maintain a healthy and diverse environment and this balance is important here in the Committee as well.

“The major themes of the Magnuson-Stevens Act are identifying and prioritizing the fisheries facing overcapacity problems, gathering better data, supporting research and cooperative research initiatives, authorizing Individual Fishing Quotas (IFQ's), moving us toward ecosystem-based fisheries management, ensuring that buyouts do not contribute to overcapacity problems in other fisheries, conserving Atlantic white marlin, and other important areas of fisheries management.”

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Provisions of the Act:

Overcapacity – Requires the Secretary of Commerce to report to Congress identifying and describing the 20 U.S. fisheries which face the worst problem with excess harvesting capacity. Overcapacity has been identified as the major problem facing sustainable fisheries by more witnesses than any other at the Subcommittee hearings.

Buyout Programs – Changes the existing statutory requirements for any buyout to require any program to purchase vessels and all existing permits. Vessels would have to be scrapped or must be required to ensure that the vessel could not fish in U.S. waters. In addition, this section would require the Secretary to ensure that any vessels purchased under this section could not move to any other fishery on the high seas or in foreign waters and contribute to overcapacity problems in other parts of the world. This would ensure that buyout programs would not contribute to overcapacity in other fisheries.

Data Collection – Provides authorization for improved data collection, including using cooperative research practices and coordinating with state fishery management agencies to gather more accurate data. Also includes a provision to report to Congress on how confidential and proprietary processor data should be used.

Ecosystem-Based Fisheries Management – Requires the Secretary, in conjunction with the Councils, to create a definition for “ecosystem” and “marine ecosystem”, and establish criteria for the development of ecosystem-based management plans by each regional fishery management council based on the recommendations of the Ecosystems Principles Advisory Panel.

Requires the Secretary to report to Congress, within 2 years, on the criteria and include an identification and description of those areas of scientific understanding for which sufficient data are not available. The Secretary would then be required to develop and begin to implement regional research plans to meet the information deficit identified in the report.

Also requires the Secretary to identify two fisheries – one from the East coast and one from the West coast – and then develop and implement, in consultation with the appropriate Councils, an ecosystem-based fishery management plan for those two fisheries.

Observer Coverage – Requires the Secretary to report to Congress within one year on the needs for a national observer program including options for funding.

Bycatch Reporting Methodologies – Moves the existing statutory provision that requires Councils to establish a standardized reporting methodology for bycatch for each fishery management plan to section of the Act that includes requirements for the Secretary. Since the Councils have been unable to meet this requirement, the Amendment moves this requirement to the Secretary.

Bycatch Reduction/Clean Gear Research – Requires the Secretary to identify the fisheries with significant bycatch problems or problems with seabird interactions. Requires a new research grant program to fund research into gear technology that minimizes bycatch, minimizes seabird interactions, and minimizes adverse fishing gear impacts on habitat areas of particular concern, and authorizes \$10 million in each of five years.

Seabird Bycatch – Requires the Secretary to report within one year of the date of enactment on the extent of the seabird interaction problem in U.S. fisheries, what efforts have been undertaken by the U.S. fishing industry and the Councils to address the problem, and the extent of the seabird interaction problem in other fisheries outside the U.S. The Secretary would also be required to take action at the appropriate international fisheries management bodies to reduce seabird interactions in those fisheries outside the United States.

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Essential Fish Habitat – The provisions in the bill will focus the efforts on minimizing gear impacts where they are truly important – the habitats that are most productive, the habitats for fisheries that are overfished, and HAPCs.

Demonstration Program for Oyster Sanctuaries and Reserves – This section would require the Secretary to develop a program for the design, construction and placement of oyster sanctuaries or reserves in the Chesapeake Bay consistent with the Chesapeake 2000 Agreement. Authorizes \$5 million for each of five fiscal years is provided.

Individual Quota Limited Access Programs – In the authorization for IFQ programs, the bill requires the Councils and the Secretary to take into account the need to promote conservation. In addition, not later than 5 years after the date of the establishment of an individual quota system for a fishery under this section by a Council or the Secretary, and every 5 years thereafter, the Council or Secretary would be required to review the effectiveness of the system in achieving the conservation goals required under this paragraph.

White Marlin Conservation – The Secretary would be required, within one year, to report to Congress on any nation that is fishing for Atlantic HMS and is not in compliance with the conservation and management provisions or any rebuilding recommendations enacted by the international management body. The report shall also include recommendations for actions the U.S. could take to ensure such compliance.

Also requires that the Secretary contract with the National Academy of Sciences to review the adequacy of the existing measures to protect Atlantic white marlin, and in particular, to examine the effects of fishing in the Mid-Atlantic Bight. The Academy would then report back to Congress within two years of the date of enactment with the review and making recommendations for any future conservation measures that might be warranted.

In addition, the bill establishes a pelagic longline highly migratory species bycatch and mortality reduction research program. The program shall identify and test a variety of pelagic longline fishing gear configurations and place an emphasis on determining which configurations are the most effective in reducing blue and white marlin mortality in the U.S. EEZ.

This section also requires the research program to determine the impact of existing time and area closures and focus on whether the existing closures should be modified to reduce bycatch by longline vessels.

Prohibited Act – This provision would make it a violation of the Magnuson-Stevens Act to sell or buy recreationally caught fish.

Membership of Fishery Management Councils – Adds one new voting seat to each Council (*except the North Pacific*), to be appointed by the Secretary and based on the existing statutory qualifications, and who is not directly employed or receive a majority of their livelihood from the commercial, charter, or recreational fishing industry.

Marine Protected Areas Authority – Clarifies that the Councils have the authority to designate closed areas, seasonal closures, time/area closures, gear restrictions, or other methods for limiting impacts on habitat, limiting bycatch impacts of gear, or limiting fishing impact on spawning congregations in specific geographic areas.

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